

Message Text

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PAGE 01 IAEA V 01006 091545Z

53

ACTION PM-04

INFO OCT-01 EUR-12 EA-09 IO-11 ISO-00 SS-15 SP-02 NSC-05

NRC-07 ACDA-10 CIAE-00 INR-07 NSAE-00 DODE-00 OES-05

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FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 7050

INFO USERDA GERMANTOWN PRIORITY

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY TOKYO

USMISSION USUN NEW YORK

UNCLAS IAEA VIENNA 1006

PASS IO/SCT

E.O. 11652: N/A

TAGS: OCON, PARM, TECH, IAEA, UK

SUBJECT: UK RESOLUTION ON SAFEGUARDS AGREEMENTS

REF: A) IAEA VIENNA 1005 B) 75 STATE 251417

1. FOLLOWING IS TEXT OF UK RESOLUTION ON SAFEGUARDS AGREEMENTS, AS SLIGHTLY REVISED FOLLOWING MEETING OF LOCAL REPS OF CO-SPONSORING STATES AND POTENTIAL CO-SPONSORS:

QUOTE. THE BOARD OF GOVERNORS.

(A) MINDFUL OF THE ROLE GIVEN TO THE AGENCY BY ARTICLE III (5) OF ITS STATUTE TO ESTABLISH AND ADMINISTER SAFEGUARDS":

(B) NOTING THE INTENTION EXPRESSED BY NON-UNCLASSIFIED

UNCLASSIFIED

PAGE 02 IAEA V 01006 091545Z

NUCLEAR WEAPON STATES, WHETHER OR NOT PARTIES TO THE NON-

PROLIFERATION TREATY, TO CONFINE THEIR NUCLEAR PROGRAMMES TO PEACEFUL PURPOSES:

(C) BELIEVING THAT IAEA SAFEGUARDS PLAY AN IMPORTANT ROLE IN GIVING ASSURANCE THAT NUCLEAR PROGRAMMES ARE NOT USED TO FURTHER ANY MILITARY PURPOSE:

(D) BELIEVING FURTHERMORE THAT DESIRABLE COMMERCIAL AND SCIENTIFIC EXCHANGES WOULD BE FACILITATED BY THE APPLICATION OF A COMPREHENSIVE SAFEGUARDS SYSTEM:

(E) CONSIDERING THAT THESE OBJECTIVES WOULD BE FORWARDED AND CONFIDENCE ENHANCED IF ALL STATES CONCERNED ACCEPTED THE APPLICATION TO ALL THEIR NUCLEAR FACILITIES OF AGENCY SAFEGUARDS HAVING A COMMON TECHNICAL BASIS:

(F) RECOGNIZING THAT THE AGENCY HAS, OVER A PERIOD OF YEARS, ACQUIRED CONSIDERABLE EXPERIENCE IN THE APPLICATION OF SAFEGUARDS AND THE IMPLEMENTATION OF SAFEGUARDS AGREEMENTS, AND THAT EXISTING SAFEGUARDS AGREEMENTS OFFER AN APPROPRIATE TECHNICAL BASIS FOR THE APPLICATION OF SAFEGUARDS OVER THE WHOLE FUEL CYCLE, AND WISHING TO MAKE THE BEST POSSIBLE USE OF THIS EXPERIENCE:

1. REQUESTS THE DIRECTOR-GENERAL TO PREPARE, FOR USE BY STATES INTERESTED IN ARRANGING FOR AGENCY SAFEGUARDS ON ALL THEIR NUCLEAR ACTIVITIES, A DOCUMENT SETTING OUT THE POSSIBLE CONTENT OF SAFEGUARDS AGREEMENTS BETWEEN THE AGENCY AND SUCH STATES:

2. INVITES SUCH STATES TO COMMUNICATE WITH THE DIRECTOR-GENERAL WITH A VIEW TO INITIATING NEGOTIATIONS TO THAT END:

3. REQUESTS THE DIRECTOR-GENERAL TO KEEP THE BOARD INFORMED ON THE PROGRESS MADE IN IMPLEMENTING THIS RESOLUTION. UNQUOTE.

2. TEXT OF ACCOMPANYING MEMORANDUM IS AS FOLLOWS:

QUOTE. AS GOVERNORS WILL BE AWARE, THE SAFEGUARDS AGREEMENTS ENTERED INTO WITH THE AGENCY BY MEMBER STATES HAVE IN PRACTICE FALLEN INTO ONE OF THE THREE FOLLOWING CATEGORIES:
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PAGE 03 IAEA V 01006 091545Z

(1) AGREEMENTS PURSUANT TO ARTICLE III,1 OF THE NPT (INFCIRC/153) AND/OR PURSUANT TO THE TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA.

(11) SAFEGUARDS TRANSFER AGREEMENTS (INFCIRC/66/REV.2). AND

(111) UNILATERAL SUBMISSION AGREEMENTS INFCIRC/66/REV.2).

THOSE IN CATEGORIES (11) AND (111) HAVE NORMALLY RELATED TO SPECIFIC NUCLEAR MATERIAL, FACILITIES AND EQUIPMENT. ALTHOUGH IT IS POSSIBLE FOR MEMBERS OF THE AGENCY, WHO ARE NOT REQUIRED TO DO SO PURSUANT TO THE TWO TREATIES REFERRED TO IN CATEGORY (1) ABOVE, TO ENTER INTO SAFEGUARDS AGREEMENTS COVERING THEIR WHOLE FUEL CYCLE, CONSIDERATION HAS NOT HERETOFORE BEEN GIVEN TO THE SPECIAL FEATURES OF SUCH AGREEMENTS. ACCORDINGLY, BELIEVING THAT PROVISION SHOULD BE MADE FOR A VOLUNTARY DECISION FOR ANY STATE TO ACCEPT SAFEGUARDS ON ALL ITS NUCLEAR ACTIVITIES, THE GOVERNORS ARE OF THE OPINION THAT IT WOULD BE USEFUL FOR THE SECRETARIAT TO INITIATE A STUDY ON THE POSSIBLE CONTENT OF SUCH AGREEMENTS.

SINCE IT IS FOR INDIVIDUAL MEMBERS STATES TO DECIDE WHAT INTERNATIONAL OBLIGATIONS TO UNDERTAKE AND WHAT TYPE OF SAFEGUARDS AGREEMENT TO ACCEPT, THE EXISTENCE OF SUCH A STUDY WOULD NOT AFFECT THE EXISTING OBLIGATIONS OF MEMBER STATES, WHETHER OR NOT PARTY TO THE NPT, NOR WOULD IT PREJUDICE ANY SAFEGUARDS NEGOTIATIONS WHICH THEY MAY WISH TO ENTER INTO WITH THE AGENCY IN THE FUTURE.

THE GOVERNORS ENVISAGE THAT THE PROPOSED STUDY WOULD DRAW ON THE TECHNICAL BASIS ALREADY AGREED IN INFCIRC/153. HOWEVER, THEY RECOGNIZE THAT THE SECRETARIAT MAY WISH TO TAKE INTO ACCOUNT THE AGENCY'S EXPERIENCE IN THE APPLICATION OF EXISTING SAFEGUARDS AGREEMENTS.

THE GOVERNORS HOPE THAT MEMBER STATES WHICH ARE PREPARED TO ACCEPT SAFEGUARDS ON ALL THEIR NUCLEAR ACTIVITIES WILL INITIATE NEGOTIATIONS AS INVITED IN OPERATIVE PARAGRAPH 2 OF THE RESOLUTION.

IN THE LIGHT OF THE FOREGOING, THE GOVERNORS
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PAGE 04 IAEA V 01006 091545Z

SUBMIT THE DRAFT RESOLUTION SET OUT BELOW FOR THE CONSIDERATION OF THE BOARD. UNQUOTELABOWITZ

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